

HOUSE BILL 1142

E2, E3

2lr1266

By: **Delegates Carter, Vallario, Anderson, Mitchell, and Simmons**

Introduced and read first time: February 10, 2012

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Bail Review Hearing – Determination Regarding Place**
3 **of Detention of Minor**

4 FOR the purpose of providing that, notwithstanding any other law or rule, at a certain
5 bail review hearing, if the defendant is a minor and the court orders the
6 continued detention of the defendant, the court in its discretion shall determine
7 whether the defendant shall be held in an adult detention facility or a juvenile
8 detention facility pending further proceedings; and generally relating to pretrial
9 procedures in criminal proceedings.

10 BY adding to

11 Article – Criminal Procedure

12 Section 4–102.1

13 Annotated Code of Maryland

14 (2008 Replacement Volume and 2011 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Criminal Procedure**

18 **4–102.1.**

19 **NOTWITHSTANDING ANY OTHER LAW OR RULE, AT A BAIL REVIEW**
20 **HEARING UNDER MARYLAND RULE 4–216(F), IF THE DEFENDANT IS A MINOR**
21 **AND THE COURT ORDERS THE CONTINUED DETENTION OF THE DEFENDANT,**
22 **THE COURT IN ITS DISCRETION SHALL DETERMINE WHETHER THE DEFENDANT**
23 **SHALL BE HELD IN AN ADULT DETENTION FACILITY OR A JUVENILE DETENTION**
24 **FACILITY PENDING FURTHER PROCEEDINGS.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2012.